

Remarks/Arguments:

This is a reply to the office action of August 4, 2004, in which the examiner rejected all of the claims presented on formal grounds and/or over prior art, although she found claims 21 and 23 contain allowable matter.

The examiner's objections under section 112 of the statute were appreciated.

We have amended the claims above to comply with section 112 of the statute.

We respectfully traverse the rejections of claims 19, 20, 22, 24-26 and 32 as anticipated by Brandenberger. Brandenberger does not disclose a method using a leasing comb onto which the threads may be fastened for pulling them through a guiding element. Brandenberger teaches that the end portions of the threads have to be held by a worker's hand. There are no means suitable for fastening the threads onto the comb 10. The only function of comb 10 is to guide the threads separated from each other for leasing or transferring them into the guide element 7. Even when the comb 10 has been rotated about 90° after the threads are led between its fingers or pegs 17 and after having these fingers 17 brought into alignment with each other by closing the fan, the threads can still run freely through the interstices formed between the fingers 17. The conveying movement is achieved not by moving the comb 10, but rather by moving the hand holding the threads.

Furthermore, there is no reason to interrupt the movement of the comb 10 during the transferring motion through which the threads are transferred into the guiding element 7. Because the threads are not fastened on the comb 10, the comb is not responsible for the conveying movement of the threads. The only thing which produces this conveying movement is the hand of the worker holding the end portions of the threads while pulling them through the guide elements of comb 7.

Brandenberger does not disclose such an interruption of the movement of the leasing comb 10.

The Examiner argues that the aligning projections (pegs 17) are in alignment with the leasing interstices. But because the *threads* have to be brought in alignment with the leasing interstices in order to be inserted into them, the *projections* cannot simultaneously be brought in alignment with the leasing interstices; rather, they are at that time aligned with the guiding elements of the second comb 7.

Thus the functioning and handling of Brandenberger's device is quite different from the method and device now claimed.

Brandenberger does not provide or use a fastening element or an aligning element; nor does it interrupt the conveying movement.

The rejection of claims 25, 26, 28 and 32 - 36 as anticipated by Lichtschlag (US 4628732) is respectfully traversed, for the following reasons:

1) Lichtschlag does not disclose means for fastening the threads to the second comb 32 usable for providing conveying movements. The object and the functioning of the second comb 32 is quite different from that of the leasing comb 11 our client.

2) Lichtschlag does not disclose aligning elements which are capable of, and are used for, bringing the laminations 48, 48' into close alignment with the interstices 64 formed between the laminations 41, 41' of the reed segment 44. The tips 43, 43' "engaging" in the interstices of the first comb 25 (i.e., the reed segment 44) do not have any leading function because they only project into the interstices without touching the laminations 41, 41', as one can see in Figs. 13a - 21a of the drawings (see column 5, line 7 to 18).

3) The thickness of the laminations 48, 48' is much less than the width of the interstices 64, so the tips 43, 43' are not capable of functioning as aligning elements.

4) Actually, col. 5, lines 43 *et seq.* of Lichtschlag disclose that the traversing device 31 traverses the thread groups 17 to 20 to the left or to the right, and when, thereafter, the second comb 32 is moved vertically upward into the upper position, a new arrangement of the thread groups results. For that, the tips 43, 43' of the laminations 48, 48' must be allowed to pass the threads within the interstices 64. We respectfully submit that an aligning function of the tips 43, 43' with respect to the laminations 41, 41' is not intended and actually is not disclosed.

There is no comparison between the function of Lichtschlag's second comb 32 and the function of the leasing combs now claimed. Lichtschlag's leasing combs 11 are used to lease simultaneously several threads F into the interstices 3 of guide elements 2. The second comb 32 is used to separate thread groups for forming a lease or a thread-cross (see column 4, line 30). When the second comb 32 becomes active, the threads have to be leased within the first comb 25; otherwise, the second comb 32 cannot operate correctly.

For the above reasons, we submit that the claims now presented distinguish the invention over the prior art of record, and that this application is in proper form for allowance.

Respectfully submitted,



Charles W. Fallow
Reg. No. 28,946

Shoemaker and Mattare, Ltd.
10 Post Office Road
Silver Spring, MD 20910
(301) 589-8900

February 4, 2005

I certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail on February 4, 2005 in an envelope addressed to the Commissioner for Patents, Box 1450, Alexandria VA 22313-1450

